

## GOVERNMENT NOTIFICATION.—No. 390.

The following Acts are published for general information.

By Command,

ARATHOON SETH,  
for the Colonial Secretary.

Colonial Secretary's Office, Hongkong, 14th September, 1889.

## CHAPTER 13.

An Act to extend, in certain cases, the provisions of the Superannuation Act, 1859, and to extend and otherwise amend the provisions of the Colonial Governors (Pensions) Acts, 1865 and 1872.

[5th July 1887.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows:—

1. This Act may be cited as the Pensions (Colonial Service) Act, 1887, and shall be construed as one with the Superannuation Act, 1859, and with the Colonial Governors (Pensions) Acts, 1865 and 1872. Short title and construction.

2. Where a person who has been employed in any office in the permanent civil service of a colony has been employed also in some Imperial civil capacity, his service in the said office shall for the purposes of the Superannuation Act, 1859, and the Colonial Governors (Pensions) Acts, 1865 and 1872, and the Acts amending the said Acts, be deemed to be service in the permanent civil service of the State, and the said office shall be deemed to be an office in a public department, and the said person shall, subject as herein after provided, be qualified to receive a pension accordingly. Application of Superannuation Acts to Colonial civil service. 22 Vict. c. 26, 28 & 29 Vict. c. 113. 35 & 36 Vict. c. 29.

Provided that the Commissioners of Her Majesty's Treasury shall determine the portion of every such pension which shall be paid from the Consolidated Fund of the United Kingdom or moneys voted by Parliament, but no payment shall be made therefrom in respect of any employment in the permanent civil service of a colony.

The expression "Imperial civil capacity" in this section means the permanent civil service of the State, and also the administration of the government of a colony within the meaning of the Colonial Governors (Pensions) Act, 1865.

3. A person shall not receive by way of pension, under the Colonial Governors (Pensions) Acts, 1865 and 1872, an amount which, together with any pension for service in the permanent civil service of the State or of a colony, exceeds the sum of one thousand pounds a year, or two-thirds of the salary and emoluments of his office in that service, whichever is greater. But his pension under the said Acts shall not be reduced by reason of his pension in respect of the said service being an emolument within the meaning of section seven of the Colonial Governors (Pensions) Act, 1865. Provision as to pensions under 28 & 29 Vict. c. 113., and 35 & 36 Vict. c. 29.

4. Any pension to be granted in pursuance of section ten of the Colonial Governors (Pensions) Act, 1865, as amended by this Act, to a person who has administered the government of any colony or colonies shall be computed, according to the provisions of the Superannuation Act, 1859, on the salary and emoluments of his office in the permanent civil service of the State or of a colony, and not on the salary received by him in respect of the administration of the said government. Mode of computing superannuation allowance to be granted in certain cases.

5. Whereas by the Colonial Governors (Pensions) Acts, 1865 and 1872, provision is made for retiring pensions to persons who have administered the government of any of Her Majesty's Colonies, and it is expedient to extend the said Acts to Her Majesty's High Commissioner in Cyprus: Be it therefore enacted as follows: Application of 28 & 29 Vict. c. 113. and 35 & 36 Vict. c. 29. to High Commissioner in Cyprus.

A pension may be granted in pursuance and subject to the provisions of the Colonial Governors (Pensions) Acts, 1865 and 1872, as amended by this or any other Act, to a person who has, either before or after the passing of this Act, administered the government of Cyprus as Her Majesty's High Commissioner, and those Acts shall apply as if Cyprus were a colony within the meaning thereof, and were within Her Majesty's dominions.

Definition of permanent civil service of a colony.

6. For the purposes of this Act a person shall be deemed to be employed in the permanent civil service of a colony if he holds any such permanent office in the service of Her Majesty in the government of any colony as qualifies him to receive a pension out of the revenues of such colony.

Provision against double pensions.

7. A person shall not receive a pension under the Colonial Governors (Pensions) Acts, 1865 and 1872, or this Act, and also under section twelve of the Superannuation Act, 1859.

Explanation of terms.

8. The expressions "permanent civil service of the State," "permanent civil service of Her Majesty," and "permanent civil service of the Crown," are hereby declared to have the same meaning, and this Act and any enactment relating to salaries and pensions shall be construed accordingly.

In this Act "pension" includes superannuation allowance.

## CHAPTER 54.

An Act to enable Her Majesty to provide for the Government of Her Possessions acquired by Settlement.

[16th September 1887.]

WHEREAS divers of Her Majesty's subjects have resorted to and settled in, and may hereafter resort to and settle in, divers places where there is no civilised government, and such settlements have become or may hereafter become possessions of Her Majesty, and it is expedient to extend the power of Her Majesty to provide for the government of such settlements, and for that purpose to repeal and re-enact with amendments the existing Acts enabling Her Majesty to provide for such government:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the British Settlements Act, 1887.

Power of the Queen in Council to make laws and establish courts.

2. It shall be lawful for Her Majesty the Queen in Council from time to time to establish all such laws and institutions, and constitute such courts and officers, and make such provisions and regulations for the proceedings in the said courts and for the administration of justice, as may appear to Her Majesty in Council to be necessary for the peace, order, and good government of Her Majesty's subjects and others within any British settlement.

Delegation of power by the Queen.

3. It shall be lawful for Her Majesty the Queen from time to time, by any instrument passed under the Great Seal of the United Kingdom, or by any instructions under Her Majesty's Royal Sign Manual referred to in such instrument as made or to be made, as respects any British settlement, to delegate to any three or more persons within the settlement all or any of the powers conferred by this Act on Her Majesty in Council, either absolutely or subject to such conditions, provisions, and limitations as may be specified in such instrument or instructions.

Provided that, notwithstanding any such delegation, the Queen in Council may exercise all or any of the powers under this Act: Provided always, that every such instrument or instruction as aforesaid shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

Power to the Queen in Council to confer jurisdiction on certain courts.

4. It shall be lawful for Her Majesty the Queen in Council to confer on any court in any British possession any such jurisdiction, civil or criminal, original or appellate, in respect of matters occurring or arising in any British settlement as might be conferred by virtue of this Act upon a court in the settlement, and to make such provisions and regulations as Her Majesty in Council may think fit respecting the exercise of the jurisdiction conferred under this section on any court, and respecting the enforcement and execution of the judgments, decrees, orders, and sentences of such court, and respecting appeals therefrom: and every Order of Her Majesty in Council under this section shall be effectual to vest in the court the jurisdiction expressed to be thereby conferred, and the court shall exercise the same in accordance with and subject to the said provisions and regulations: Provided always, that every Order in Council made in pursuance of this Act shall be laid before both Houses of Parliament as soon as conveniently may be after the making thereof.

5. It shall be lawful for Her Majesty the Queen in Council from time to time to make, and when made to alter and revoke, Orders for the purposes of this Act. Making of Orders in Council, &c.

6. For the purposes of this Act, the expression "British possession" means any part of Her Majesty's possessions out of the United Kingdom, and the expression "British Settlement" means any British possession which has not been acquired by cession or conquest, and is not for the time being within the jurisdiction of the Legislature, constituted otherwise than by virtue of this Act or of any Act repealed by this Act, of any British possession. Definitions.

7. The Acts mentioned in the schedule to this Act are hereby repealed: Provided that— Repeal.

(a.) Such repeal shall not affect anything done or suffered previously to such repeal in pursuance of any such Act, or in pursuance of any Order in Council, commission, instructions, law, ordinance, or other thing made or done in pursuance of any such Act; and

(b.) All Orders in Council, commissions, and instructions purporting to be made or given in pursuance of the Acts hereby repealed, or either of them, shall continue in force in like manner as if they had been made and given in pursuance of this Act, and such commissions had originally been instruments authorised by this Act, and shall be subject to be revoked or recalled accordingly.

SCHEDULE.

Section and Chapter.	Title.
6 & 7 Vict. c. 13, .....	An Act to enable Her Majesty to provide for the Government of her Settlements on the Coast of Africa and in the Falkland Islands.
23 & 24 Vict. c. 121, .....	An Act to amend an Act passed in the sixth year of Her Majesty Queen Victoria, intituled An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands.

GOVERNMENT NOTIFICATION.—No. 391.

Tenders will be received at this Office until Noon of Monday, the 23rd instant, for the making up and supply of the following Winter Clothing for the Gaol Staff, viz.:—

For more or less.	}	For making up	4 Blue Cloth Suits, for Warden and Head Turnkeys.
		"	11 Blue Cloth Suits, for Turnkeys and Hospital Warders.
		"	44 Blue Cloth Suits, for Assistant Turnkeys and Guards.
		For supply of	4 Caps with Peaks, for Warden and Head Turnkeys.
		"	38 Caps with Peaks, for Turnkeys and Guards.
"	2 pairs Chinese Shoes, Stockings and a Cap (for Chinese Turnkey).		

Sample of uniform may be seen, and any further information obtained, at the Gaol Office.

No tender will be received unless the person tendering shall produce a receipt to the effect that he has deposited in the Colonial Treasury the sum of \$50, as a pledge of the *bona fides* of his offer, which sum shall be forfeited to the Crown if such person shall refuse to carry out his tender.

The Government does not bind itself to accept the lowest or any tender.

By Command,

ARATHOON SETH,  
for the Colonial Secretary.

Colonial Secretary's Office, Hongkong, 14th September, 1889.